

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

CHARLES A. MERRELL, JR.,)	
)	
Petitioner,)	
)	
vs.)	Case No. CIV-05-1318-M
)	
RANDALL WORKMAN, Warden,)	
)	
Respondent.)	

ORDER

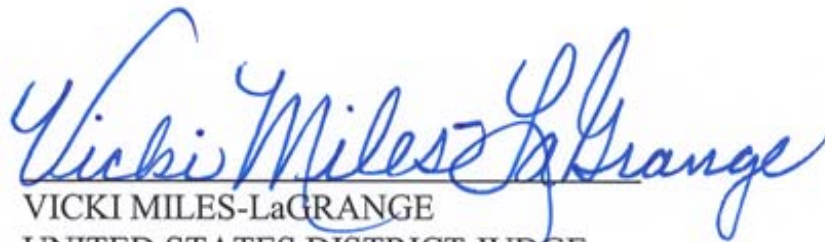
On February 17, 2006, United States Magistrate Judge Gary M. Purcell issued a Report and Recommendation in this action brought pursuant to 28 U.S.C. § 2254, seeking a writ of habeas corpus. The Magistrate Judge recommended that the Petition for a Writ of Habeas Corpus be denied. The parties were advised of their right to file an objection to the Report and Recommendation by March 9, 2006. On March 7, 2006, petitioner filed his objections.

In his objections, petitioner objects to the Report and Recommendation in its entirety. Specifically, petitioner asserts that the Magistrate Judge erred (1) in finding that his appellate counsel was not ineffective, (2) in denying his prosecutorial misconduct claim, (3) in denying his speedy trial claim, and (4) in denying his due process claim based upon the trial court's failure to rule on his motion to quash and dismiss for insufficient evidence. Having carefully reviewed this matter de novo, the Court finds, for the reasons set forth in the Report and Recommendation, that petitioner's Petition for a Writ of Habeas Corpus should be denied.

Accordingly, the Court:

- (1) ADOPTS the thorough and well-reasoned Report and Recommendation issued by the Magistrate Judge on February 17, 2006;
- (2) DENIES petitioner's Petition for a Writ of Habeas Corpus, and
- (3) ORDERS that judgment in favor of respondent issue forthwith.

IT IS SO ORDERED this 17th day of March, 2006.



VICKI MILES-LAGRANGE
UNITED STATES DISTRICT JUDGE